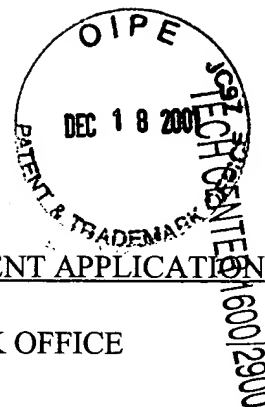


Amendment Under 37 C.F.R. §1.116
Expedited Prosecution - Group Art Unit 1652



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35.C13982

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
: Examiner: E. Slobodyansky
TETSUYA YANO ET AL.)
: Group Art Unit: 1652
Application No.: 09/430,029)
: Filed: October 29, 1999)
: For: DNA FRAGMENT CARRYING)
TOLUENE MONOOXYGENASE :
GENE, RECOMBINANT)
PLASMID, TRANSFORMED :
MICROORGANISM, METHOD)
FOR DEGRADING :
CHLORINATED ALIPHATIC)
HYDROCARBON COMPOUNDS :
AND AROMATIC COMPOUNDS,)
AND METHOD FOR :
ENVIRONMENTAL)
REMEDIAATION : December 6, 2001
:

#13
B.G.J
12/26/01

Commissioner for Patents
Washington, D.C. 20231

REQUEST FOR APPROVAL OF PROPOSED DRAWING CHANGES

Sir:

The Applicants respectfully request that the Examiner approve the change of designating Figure 15 to be Figure 1. A marked-up version of Figure 15 is enclosed to show the changes made thereto.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on

December 6, 2001

(Date of Deposit)

JASON M. OKUN

(Name of Attorney for Applicant)

December 6, 2001

Signature

Date of Signature

Entry hereof and an indication that the proposed changes have been approved are respectfully requested in the next Patent and Trademark Office communication..

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address given below.

Respectfully submitted,



Attorney for Applicants

Registration No. 24947

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

NY_MAIN 222723v1



Correspondence and Mail
BOX AF

Docket No. 35.C1.1382
Date: December 6, 2001

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#14
12/26/01

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of: TETSUYA YANO ET AL.

Application No.: 09/430,029

For: DNA FRAGMENT CARRYING TOLUENE MONOOXYGENASE
GENE, RECOMBINANT PLASMID, TRANSFORMED MICROORGANISM,
METHOD FOR DEGRADING CHLORINATED ALIPHATIC
HYDROCARBON COMPOUNDS AND AROMATIC COMPOUNDS,
AND METHOD FOR ENVIRONMENTAL REMEDIATION

Filed: October 29, 1999

Group Art Unit: 1652

Commissioner for Patents
Washington, D.C. 20231

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TC 1700

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the
decision dated June 6, 2001 of the Primary Examiner finally rejecting claims 1-48 and 55.

The item(s) checked below are appropriate.

1. ☒ A Petition for a three (3) month extension of time to respond to the final rejection,
together with the \$ 920.00 extension fee under 37 C.F.R. §1.17, is filed herewith.
2. ☐ A Petition for an additional month extension of time to take further action, together
with the \$ extension fee under 37 C.F.R. §1.17, was filed on .
3. ☒ Fee \$320.00
- ☐ Fee \$160.00 (Verified Statement claiming small entity status is enclosed, if not filed
previously.)

12/20/2001 CV0111 00000007 09430029

01 FC:119

320.00 OP

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United States Postal Service as first-class mail in an envelope addressed
to: Commissioner for Patents, Washington, D.C. 20231 on
December 6, 2001

(Date of Deposit)

PETER SAXON

(Name of Attorney for Applicant)

Peter Saxon
Signature

December 6, 2001

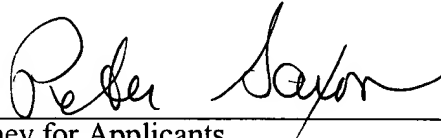
(Date of Signature)

- ☒ Enclosed
- ☐ Not required (fee paid in prior appeal)
- ☐ Charge to Deposit Account No. 06-1205 (One additional copy of this Notice enclosed herewith)

4. ☒ Any prior general authorization to charge an issue fee under 37 C.F.R. 1.18 to Deposit Account No. 06-1205 is hereby revoked. The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. 1.16 or 1.17 which may be required during the entire pendency of this application, or to credit any overpayment, to Deposit Account No. 06-1205.

5. ☒ Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address given below.

Respectfully submitted,



Attorney for Applicants

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DEC 27 2001

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Amendment Under 37 C.F.R. §1.116
Expedited Prosecution - Group Art Unit 1652

35.C1398

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

)

: Examiner: E. Slobodyansky

TETSUYA YANO ET AL.

)

: Group Art Unit: 1652

Application No.: 09/430,029

)

Filed: October 29, 1999

(

**For: DNA FRAGMENT CARRYING
TOLUENE MONOOXYGENASE
GENE, RECOMBINANT
PLASMID, TRANSFORMED
MICROORGANISM, METHOD
FOR DEGRADING
CHLORINATED ALIPHATIC
HYDROCARBON COMPOUNDS
AND AROMATIC COMPOUNDS,
AND METHOD FOR
ENVIRONMENTAL
REMEDATION**

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: December 6, 2001

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TC 1700

Commissioner for Patents
Washington, D.C. 20231

NOTICE RE DEPOSIT OF MICROORGANISMS

Sir:

The above-identified application discloses a cell line which has been deposited with the National Institute of Bioscience and Human Technology, Agency of

I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on

December 6, 2001

(Date of Deposit)

PETER SAXON

(Name of Attorney for Applicant)

(Name of A)

Peter Saxon

December 6, 2001

Signature

Date of Signature

Industrial Science and Technology, Ibaraki, Japan, under the following Accession No.:

FERM-BP-4235

The deposit has been made by Canon Kabushiki Kaisha, the present assignee, with the National Institute of Bioscience and Human Technology under the terms and conditions of the Budapest Treaty. A copy of the International Receipt form is in the filewrapper of copending Application No. 08/848,877. Access to the deposit will be accorded to the Commissioner upon request and any restrictions upon availability to the public will be irrevocably removed upon granting of any patent issuing on this application or any continuation, divisional or continuation-in-part applications. Maintenance of the deposit is assured for periods of time as specified in the Budapest Treaty.

Canon Kabushiki Kaisha will replace the cultures if any should become non-viable for a period of at least five (5) years after the most recent request for the furnishing of a sample deposited microorganism, for a period of at least thirty (30) years after the date of deposit or for the enforceable life of such patent, whichever is longer.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,



Attorney for Applicants

Registration No. 24947

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222725